

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

STERLING COMPUTERS CORP.,

Plaintiff,

vs.

ANSHUMAN PATEL, d/b/a
JASPER SOLUTIONS, INC.,

Defendant.

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8:08CV3151

ORDER

This matter is before the court *sua sponte*, pursuant to [NECivR](#) 41.1, which states in pertinent part: “The court may at any time dismiss an action for lack of prosecution when it appears it is not being prosecuted with reasonable diligence.” The record reveals the complaint was filed on July 15, 2008, and service of the summons was executed on the defendant on July 22, 2008. **See** Filing No. 1 - [Complaint](#); Filing No. 8 - [Summons Returned](#). It remains the plaintiff’s duty to go forward in prosecuting the case by, for example, filing a motion for the Clerk’s entry of default pursuant to [Fed. R. Civ. P. 55](#) and [NECivR](#) 55.1(a). Upon consideration,

IT IS ORDERED:

The plaintiff has until the close of business **on December 22, 2008**, to file a motion for Clerk’s entry of default or show cause why this case should not be dismissed for failure to prosecute the defendant.

DATED this 1st day of December, 2008.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge